



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17710 of 2022

WEB COPY

1 Kannan
2 Balakrishnan

... Petitioners/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
Crime No.Not Known of 2022.

... Respondent/Complainant

For Petitioners : M/s.Rameshkumar D, Advocate.
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory BAil in Crime No.Not Known of 2022 on the file
of the respondent police

ORDER : The Court made the following order :-

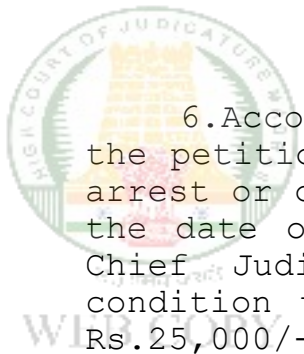
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 406 and 506(i) IPC in Crime No.Not known of 2022, seek anticipatory bail.

2.The case of the prosecution is that the 2nd petitioner on promising to marry the defacto complainant had love affair with her and subsequently, refused to marry her. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the investigation of the case is not pending.

5.Considering the facts and circumstances of the case and also considering the fact that it is a case of love affair, this Court is inclined to grant anticipatory bail to the petitioners.



6. Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Chief Judicial Magistrate, Manamadurai, Sivagangai District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-

06/10/2022

/ TRUE COPY /

/10/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT.
- 2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MANAMADURAI, SIVAGANGAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.17710 of 2022

Date : 06/10/2022

TRP

RS/VR/SAR. (10.10.2022) 2P-4C